

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

March 24, 2011

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF#11MD-034

Maui

Issuance of Revocable Permit to MC&A, Inc. for a Teambuilding Event for In and Out Burger at Wailea Beach, Maui, Further Identified by Tax Map Key:(2) 2-1-008: seaward of 109.

APPLICANT:

MC&A, Inc. whose business and mailing address is 615 Piikoi Street, Suite 1000, Honolulu, Hawaii 96814.

LEGAL REFERENCE:

Sections 171-13 and -55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Wailea, Maui identified by Tax Map Key: (2) 2-1-008: seaward of 109, as shown on the attached GIS overview map labeled Exhibit A.

AREA:

9,000 square feet, more or less.

ZONING:

State Land Use District: Conservation

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State constitution: YES ___ NO x

CURRENT USE STATUS:

Vacant and unencumbered.

CHARACTER OF USE:

Teambuilding Activities (Permit area to be used for two beach volleyball courts).

TERM:

From 8:00 a.m. to 4:00 p.m. on April 13, 2011.

RENTAL:

\$900.00 (Rental based on \$.10 per square foot, per day). Total area of requested use is 9,000 square feet.

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1)(4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>x</u>	NO <u> </u>
Registered business name confirmed:	YES <u>x</u>	NO <u> </u>
Applicant in good standing confirmed:	YES <u>x</u>	NO <u> </u>

REMARKS:

Pursuant to the authority delegated by the Board on September 28, 2001 (D-4), right-of-entry permits were issued for these types of teambuilding and beach activities (games) in the past.

After discussion about different types of commercial activities and any associated requirements, staff brings this request to the Board for disposition. The form of disposition could be in form of a revocable permit.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the past five years due to non-compliance with such terms and conditions.

No comments were solicited from government or community agencies.

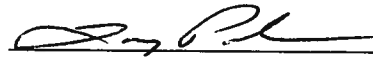
MC&A, Inc. is requesting a right-of-entry permit for In and Out Burger, to utilize a portion of Wailea Beach for a teambuilding event which will include setting up two volleyball nets and court areas on Wailea Beach. Volleyball matches will be played between staff members. The event is scheduled for April 13, 2011. Set up will start at 8:00 a.m. and breakdown by 4:00 p.m.

There are no other pertinent issues or concerns. Staff has no objections to this request.

RECOMMENDATION: That the Board:

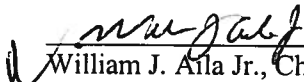
1. Authorize the issuance of a revocable permit to MC&A Inc. covering the subject area for teambuilding event purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - a. The standard terms and conditions of the most current revocable permit form, as may be amended from time to time;
 - b. Review and approval by the Department of the Attorney General; and
 - c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



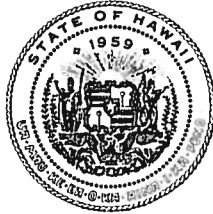
Larry Pacheco, Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila Jr., Chairperson

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

March 1, 2011

WILLIAM J. AILA, JR.
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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HISTORIC PRESERVATION
KAIHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

EXEMPTION NOTIFICATION

regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title:

MC&A Inc. (In and Out Burger)

Project / Reference No.:

11MD-034

Project Location:

Wailea Beach, Maui. TMK: (2) 2-1-008: Seaward of 109

Project Description:

Teambuilding event which will include the setting up of two volleyball nets and matches between team members.

Chap. 343 Trigger(s):

Use of State Land

Exemption Class No.
and Description:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1)(4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

Exemption Item Description
from Agency Exemption List:

Exemption Class No. 1 of the Department of Land and Natural Resources, Approved Exemption List, dated December 4, 1991.

Pursuant to the authority delegated by the Board on September 28, 2001 (D-4), right-of-entry permits were issued for these types of teambuilding and beach activities (games) in the past.

Recommendation:

It is anticipated this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.


William J. Aila Jr., Interim Chairperson

3/8/11
Date

Wailea Beach

The Grand Wailea Resort
(2) 2-1-008-108

Permit Area 60' x 150'
(9,000 sq. ft.)

Four Seasons Resort
(2) 2-1-008-108

Exhibit (A)

